

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF WISCONSIN

ESTATE OF TONYA K. MEALMAN,

Plaintiff,

v.

Case No. 21-CV-820

WISCONSIN MUNICIPAL MUTUAL
INSURANCE COMPANY, et al.,

Defendants.

DECLARATION OF PAUL J. PYTLIK

Paul J. Pytlik, pursuant to 28 U.S.C. § 1746 and under penalty of perjury, declares:

1. I am an attorney duly licensed to practice law in the State of Wisconsin, the Federal District Courts of Wisconsin and the United States Court of Appeals for the Seventh and Sixth Circuits.

2. I have practiced in civil litigation for more than 39 years. During my career I have tried 130 jury trials and have handled cases ranging from multi-million dollar personal injury matters, large construction defect lawsuits, professional liability defense, Superfund clean -up cases and significant insurance coverage matters along with numerous personal injury cases.

3. I have never been the subject of attorney discipline or contempt of court proceedings. I have never been sanctioned for discovery abuses.

4. I have been the lead attorney for the Wellpath individual and corporate defendants in this case.

5. In this case multiple sets of interrogatories, multiple sets of requests for documents, and multiple sets of requests to admit were served upon each of the individual defendants and responded to by them.

6. In this case multiple sets of interrogatories, multiple sets of requests for production of documents and multiple sets of requests to admit were served upon the Wellpath corporate defendants.

7. Wellpath and its representatives have been cooperative and responsive with regard to those discovery requests. Wellpath has produced 1,569 documents in response to those discovery requests. 6 depositions of Wellpath, 8 depositions of Brown County witnesses and numerous inmate fact witness depositions have been conducted.

8. Certain discovery requests involved requests for documents relating to the operations of Wellpath and its predecessor corporation at the Brown County Jail since 2012.

9. Throughout this case, despite certain delays, the Wellpath defendants have endeavored to produce all written discovery response required by those requests.

10. Plaintiff sought to clean up remaining discovery deficiencies in the various sets of written discovery and sent a Rule 37 letter specifying those remaining claimed deficiencies.

11. In response, I endeavored to work through the file materials and to have the client supplement responses to remaining discovery issues.

12. [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

[REDACTED]

13. I have experienced a relatively benign physical and mental health background through my life, with a successful legal career, a long and strong marriage and four children.

14. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

15. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

16. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

17. [REDACTED]

[REDACTED]

[REDACTED]

18. [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

19. [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

[REDACTED] Bradley graciously agreed to hold off on bringing further motion practice at that time.

20. [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

21. [REDACTED]
[REDACTED]
[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

22. [REDACTED]

[REDACTED] The only possible response to the motions was to provide the discovery requests the plaintiff was entitled to receive. I undertook to “respond” to the motions to compel by rendering them moot by providing the discovery and, in doing so, anticipated that I would be successful in providing the discovery responses. I was unable to do so.

23. On May 26, I again advised Mr. Bradley that I was having difficulties pulling all the discovery together and I was still “spinning my wheels” at 8:25 in the evening. [REDACTED]

[REDACTED]

[REDACTED]

24. On May 30, I was finally able to provide Mr. Bradley with an informal supplement of discovery. On June 16, 2023 I was finally able to gather all the responsive answers, documents and verifications and provided them to Mr. Bradley. This was prior to the court issuing its decision on discovery sanctions.

25. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

26. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

27. [REDACTED]

[REDACTED]

28. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

29. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

30. Attached as Exhibit A to this affidavit are true and correct copies of [REDACTED]

[REDACTED]

I declare under penalty of perjury that the foregoing is true and correct.

Dated at Milwaukee, Wisconsin this 12th day of July, 2023.

/S/ Paul J. Pytlik
Paul J. Pytlik